

### **V. REMARKS**

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; and c) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 1, 2 and 4 are rejected under 35 USC 102 (b) as being anticipated by Flom et al. (U.S. Patent No. 3,990,332). The rejection is respectfully traversed.

Flom teaches a method for reducing or preventing the growth of depth of cut line notching in a single point cutting edge tool by a workpiece. A method includes filling the cutting zone atmosphere of the workpiece and the single point cutting edge tool with gaseous oxygen in an amount ranging from 50% by volume to 100% by volume of the cutting zone atmosphere. The workpiece being a metallic alloy forms a depth of cut line notch in the cutting edge of the cutting tool. The cutting edge, being formed of a polycrystalline ceramic oxide body of a polycrystalline cubic boron nitride body, maintains the amount of oxygen in the cutting zone atmosphere by flowing gaseous oxygen therethrough. Machining the workpiece in the oxygen-containing cutting zone atmosphere with the single cutting edge tool prevents or significantly reduces the growth of the depth of cut line notch in the cutting edge of the tool.

Claim 1, as amended, is directed to a controlled atmosphere cutting method. Claim 1 recites that the controlled atmosphere cutting method includes the steps of:

providing a workpiece and a cutting tool with a cutting edge with the workpiece and at least the cutting edge of the cutting tool being fabricated from a material susceptible to formation an oxide film thereon;

cutting the workpiece with the cutting edge of the cutting tool; and

supplying gas adjacent to where the workpiece is being cut with the gas containing a concentration of oxygen sufficient to form an oxide film between the cutting edge of the cutting tool and the workpiece as the workpiece is being cut.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each and every element of claim 1 as amended. Specifically, it is respectfully submitted that the applied art fails to teach that the workpiece and at least the cutting edge of the cutting tool are fabricated from a material susceptible to formation an oxide film thereon. Furthermore, it is respectfully submitted that the applied art also fails to teach that gas is supplied adjacent to where the workpiece is being cut with the gas containing a concentration of oxygen sufficient to form an oxide film between the cutting edge of the cutting tool and the workpiece as the workpiece is being cut. Thus, it is respectfully submitted that claim 1 is allowable over the applied art.

It is respectfully submitted that support in the specification for amended claim 1 can be found on page 5, lines 25 and 26, in order to claim that the workpiece and at least the cutting edge of the cutting tool are fabricated from a material susceptible to formation an oxide film thereon.

Claims 2 and 4 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claim 3 is rejected under 35 USC 103 (a) as being unpatentable over Flom. The rejection is respectfully traversed.

Claim 3 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Newly-added claims 7 and 8 also include features not shown in the applied art.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same,

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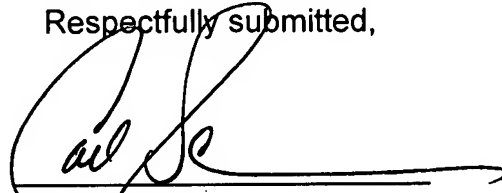
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the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: August 30, 2007

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Enclosure(s):      Amendment Transmittal

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